

US EPA ARCHIVE DOCUMENT

## FACT SHEET

### FINAL 8-HOUR OZONE NATIONAL AMBIENT AIR QUALITY STANDARDS: DESIGNATIONS FOR EARLY ACTION COMPACT AREAS

#### ACTION

- On January 31, 2008, EPA proposed to designate 13 *Early Action Compact* (EAC) areas as attaining the 1997 8-hour ozone standard. Currently, EPA has deferred designations for the 1997 8-hour ozone standard for these areas until April 15, 2008.
- EPA is proposing this action because each of these areas have met all milestones of the EAC program, including the final requirement to demonstrate attainment of the 8-hour ozone NAAQS by December 31, 2007 based on air quality data from 2005, 2006 and 2007.
- EPA has been working with these areas to reduce ground-level ozone, or smog, as quickly as possible. Together with EPA, these communities entered into agreements called *Early Action Compacts*. These Compacts gave areas the flexibility to develop their own approach to meeting the 8-hour ozone standard, provided they achieve clean air sooner than the Clean Air Act would otherwise require.
- By reducing pollution ahead of schedule, these communities are bringing sustainable health and environmental improvements to their residents sooner than would have been achieved without these agreements.
- The areas are: Frederick County/Winchester, Va.; Roanoke, Va.; Washington County/Hagerstown, Md.; Berkeley & Jefferson Counties, W.Va.; Hickory/Greensboro area, N.C.; Fayetteville, N.C.; Greenville-Spartanburg-Anderson, S.C.; Columbia area, S.C.; Chattanooga area, Tenn.; Nashville area, Tenn.; Johnson City-Kingsport-Bristol area, Tenn.; and the San Antonio area, Texas.
- There are 28 *Early Action Compact* areas in the country. Fifteen of these communities already met the 8-hour ozone standard, but chose to join the compact to ensure that they stay in attainment and because they wish to take voluntary steps to protect the health and quality of life in their communities.
- The EPA determined that Denver EAC area was in nonattainment as of November 20, 2007 because of a violation of the 8-hour standard in 2007.
- The EPA will accept public comment for 15 days after the proposal is published in the Federal Register.

## BACKGROUND

- In December 2002, 33 states submitted compact agreements pledging to meet the 8-hour ozone standard earlier than required. The states had to meet a number of criteria, and had to agree to meet certain milestones. The most significant milestone was that the EAC areas had to be in attainment by December 31, 2007, based on air quality data from 2005, 2006, and 2007.
- The voluntary EAC program provides a flexible approach to reducing pollution to help 14 communities that did not meet the 8-hour ozone standard, as well as 15 communities which met the standard and want to be proactive about reducing air pollution.
- EPA officially designated nonattainment areas in April 2004. Of the 33 areas who entered into the EAC, 14 were designated “nonattainment deferred”. That is, the areas would have been designated nonattainment if they had not previously entered into the EAC. As long as these 14 *Early Action Compact* Areas met agreed upon milestones, the impact of the designations would be deferred.
- *Early Action Compacts* require communities to:
  - Develop and implement air pollution control strategies,
  - Account for emissions growth, and
  - Achieve and maintain the national 8-hour ozone standard.
- By December 31, 2007, 13 of the 14 areas met all milestones and were in attainment. Only the Denver Colorado area failed to meet all milestones, because the area violated the 8-hour standard.
- Throughout the EAC program, EPA worked with areas that participated in *Early Action Compacts*. The Agency also worked with local governments, States and Tribes that did not participate in an *Early Action Compact*, by helping them develop an implementation strategy for the 8-hour ozone standard.

## FOR MORE INFORMATION

- Interested parties can download this final action from:  
<http://www.epa.gov/air/ozonepollution/actions.html#eac>
- Today's proposed rule and other background information are also available either electronically at <http://www.regulations.gov/>, EPA's electronic public docket and comment system, or in hardcopy at the EPA Docket Center's Public Reading Room.
  - The Public Reading Room is located in the EPA Headquarters Library, Room Number 3334 in the EPA West Building, located at 1301 Constitution Ave., NW, Washington, DC. Hours of operation are 8:30 a.m. to 4:30 p.m. Eastern Standard Time, Monday through Friday, excluding Federal holidays.

- Visitors are required to show photographic identification, pass through a metal detector, and sign the EPA visitor log. All visitor materials will be processed through an X-ray machine as well. Visitors will be provided a badge that must be visible at all times.
  - Materials for this proposed action can be accessed using Docket ID No. EPA-HQ-OAR-2008-0006.
- HOW TO COMMENT: Comments should be identified by Docket ID No. EPA-HQ-OAR-2008-0006 and submitted by one of the following methods:
  - Federal eRulemaking Portal (<http://www.regulations.gov>)
  - E-mail ([a-and-r-docket@epa.gov](mailto:a-and-r-docket@epa.gov))
  - Mail (EPA Docket Center, Environmental Protection Agency, Mailcode 6102T, 1200 Pennsylvania Avenue, NW, Washington, DC 20460), or
  - Hand delivery (EPA Docket Center, Environmental Protection Agency, Room 3334, 1301 Constitution Avenue, NW, Washington, DC).
- Information on *Early Action Compacts* is available at:  
<http://www.epa.gov/oar/eac/basic.html>